

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

David R. Carlson,

Civil No. 18-3217 (DWF/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Carolyn W. Colvin, Acting Commissioner
of Social Security, and Linda S. Momahon,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois dated February 5, 2019. (Doc. No. 6.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Leo I. Brisbois's Report and Recommendation (Doc. No. [6]) is **ADOPTED**.

2. This action is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction.

3. Plaintiff's application to proceed in forma pauperis (Doc. No. [2]) is

DENIED AS MOOT.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 22, 2019

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge